

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Application of: MacDonald, et al.)
Serial No: 10/731,256)
Filed: December 9, 2003)
Confirmation No: 4720)
Title: Triggerable Delivery System For Pharmaceutical And)
Nutritional Compounds And Methods Of Utilizing Same)

Group Art Unit: 1616
Examiner: Unknown
Our Account No: 04-1403
Customer No: 22827

Commissioner for Patents
U.S. Patent and Trademark Office
Post Office Box 1450
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The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1. ☒ Attached hereto is:

- a. ☒ A list of materials for consideration per Rule 98(a)(1): 2 page(s)
- b. ☒ A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98 and/or as indicated on the attached list(s):
24 item(s)
- c. ☐ For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: _____

☐ Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2. ☒ This Information Disclosure Statement is being filed [CHECK ONE]:

- a. ☒ WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b. ☐ AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
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- ii. ☐ Filing Fee per Rule 17(p)\$180.00
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- 4.[x] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

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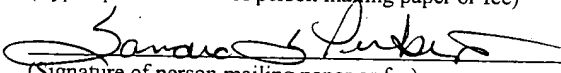
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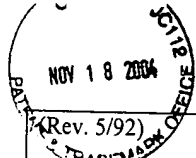
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By: Christina L. Mangelsen, Patent Agent

Reg. No: 50,244

Signature: 

Date: November 15, 2004



Information Disclosure Statement List By Applicant(s) Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary)	Attorney Docket Number: KCX-859 (19100)	Serial Number: 10/731,256
	Applicant: MacDonald, et al.	
	Filing Date: December 9, 2003 Confirmation No: 4720	Group Art Unit: 1616

- NOTE: If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]
- (1) This item is cumulative, per Rule 98(c)
 - (2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:
 USSN _____, filed _____, or
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 Relied on under 35 U.S.C. Section 120, per Rule 98(d)
 - (3) Both reasons (1) and (2) apply
 - (4) No legible complete copy is possessed, in custody of controlled, or readily available
 - (5) Per the U.S. Patent and Trademark Office's waiver of Rule 98(a)(2)(i), the item is a U.S. patent or patent application publication, and the present application was filed after June 30, 2003.

EXAMINER INITIALS	PATENTEE NAME	PATENT NUMBER								ISSUE DATE	COPY NOTE
	Berry	3	5	0	7	2	6	9		04/21/1970	5
	Hoshino, et al.	3	6	1	5	4	7	8		10/26/1971	5
	Pratt, et al.	3	7	9	4	4	9	7		02/26/1974	5
	Nakamura	4	8	2	3	8	0	3		04/25/1989	5
	Withers, et al.	5	2	4	5	1	1	7		09/14/1993	5
	Müller, et al.	5	3	6	6	9	4	7		11/22/1994	5
	Hüsler, et al.	5	7	9	5	9	8	5		08/18/1998	5
	Diamond, et al.	6	2	6	4	6	1	5		07/24/2001	5
	Pedersen	6	6	0	7	7	1	1		08/19/2003	5

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIALS	APPLICANT'S NAME	PUBLICATION NUMBER	PUBLICATION DATE	COPY NOTE
	Hage, et al. 2003	0 0 5 0 2 1 1	03/13/2003	5
	Rodriguez-Fernandez 2001	0 0 5 6 2 4 6	12/27/2001	5
	Jakob, et al. 2002	0 0 6 6 5 4 2	06/06/2002	5
	Fischer, et al. 2002	0 0 9 1 0 7 1	07/11/2002	5
	Rosenberg, et al. 2003	0 1 0 0 8 4 2	05/29/2003	5

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	COUNTRY	DOCUMENT NUMBER								PUBLICATION DATE	TRANSLATION			COPY NOTE
											YES	NO	N/A	
	EP	1	1	6	2	1	7	2	A1	12/12/2001				
	EP	1	1	8	8	8	5	4	A1	03/20/2002			X	
	EP	1	2	1	4	8	7	8	A1	06/19/2002			X	
	WO w/ English Abstract	0	0	2	9	0	3	6	A2 & A3	03/25/2000		X		

(Rev. 5/92) Information Disclosure Statement List By Applicant(s) Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary)	Attorney Docket Number: KCX-859 (19100)	Serial Number: 10/731,256
	Applicant: MacDonald, et al.	
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	WO 2004	0	0	0	9	8	6		A1	12/31/2003			X	
	WO w/ English Abstract	0	0	5	9	5	5	5	A1	10/12/2000		X		
	WO	9	7	2	5	0	7	6	A1	07/17/1997			X	

*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

EXAMINER INITIALS	OTHER DOCUMENTS Specify author (if any), Title, Pertinent Pages, Date & Place of Publication	COPY NOTE
	Abstract of SU834073	05/30/1981
	PCT Search Report and Written Opinion for PCT/US2004/011596	08/30/2004
	PCT Search Report and Written Opinion for PCT/US2004/016933	11/02/2004
EXAMINER	DATE CONSIDERED	
Examiner: initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.		